


PROB 12B (Rev. 08/18)				SUPERVISION REPORT REQUEST FOR MODIFYING THE CONDITIONS OR TERM OF SUPERVISION WITH THE CONSENT OF THE OFFENDER		U. S. Probation Office Eastern District of Michigan		PACTS 3507793		DATE 10/01/2020	
NAME JOHNSON JR., Bertram				OFFICER Mary Whitt		JUDGE Matthew F. Leitman				DOCKET # 17-CR-20233-01	
ORIGINAL SENTENCE DATE 09/06/2018 COMMENCED 02/15/2019 EXPIRATION 02/14/2021		SUPERVISION TYPE Supervised Release		CRIMINAL HISTORY CATEGORY I		TOTAL OFFENSE LEVEL 10		PHOTO 			
REPORT PURPOSE REQUEST TO MODIFY CONDITIONS											
RECOMMENDATION MODIFICATION											
ORIGINAL OFFENSE Count 1: 18 U.S.C. 371, Conspiracy to Commit Theft from A Federally Funded Program											
SENTENCE DISPOSITION Custody of the Bureau of Prisons for a term of 90 months, to be followed by a two-year term of supervised release. Amended Judgment: 09/13/2018, Modification of Restitution Order to \$26,206.87 (paid).											
ORIGINAL SPECIAL CONDITIONS <ol style="list-style-type: none"> 1. The defendant is restricted to his residence for the first 90-days of supervision with exceptions of employment, education, religious services, medical, substance abuse or mental health treatment, attorney visits, court appearances, court-ordered obligations, mother's medical appointments; and children schools event/activities, or other activities as approved in advance by the probation officer (home confinement). 2. The defendant shall complete 240 hours of community service per year in the geographic area of the Second Senate District of Michigan. 3. The defendant shall make monthly installment payments on any remaining balance of the (restitution and special assessment) at a rate and schedule recommended by the probation department and approved by the Court. 4. The defendant shall not incur any new credit charges or open additional lines of credit without the approval of the probation officer, unless the defendant is in compliance with the payment schedule. 5. The defendant shall provide the probation officer access to any requested financial information. <p>Criminal Monetary Penalties: Special Assessment \$100.00 (paid), Restitution \$23,133.89 (paid).</p>											

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PETITIONING THE COURT

To modify the condition(s) of supervised release as follows:

REMOVE:

“THE DEFENDANT SHALL COMPLETE 240 HOURS OF COMMUNITY SERVICE PER YEAR IN THE GEOGRAPHIC AREA OF THE SECOND SENATE DISTRICT OF MICHIGAN.”

ADD:

“THE DEFENDANT SHALL COMPLETE 240 HOURS OF COMMUNITY SERVICE IN THE GEOGRAPHIC AREA OF THE SECOND SENATE DISTRICT OF MICHIGAN.”

CAUSE

JOHNSON began his term of supervised release on February 15, 2019. He has largely complied with his imposed conditions. Drug testing was waived. He maintained full-time employment as a Managing Director at Bluelotus Strategies located in Detroit, Michigan. He has paid his special assessment and restitution in full. JOHNSON has stable housing with his children and mother in Metamora, Michigan. This writer assumed supervision of JOHNSON on October 18, 2019, when he was placed on Low Intensity Supervision. JOHNSON has been assessed as a low-risk client per the Post-Conviction Risk Assessment (PCRA) tool. Per PCRA, “Offenders in this category have a 3% arrest rate and a < 1% revocation rate in the next 6 months.” As a result of the risk level, he was placed on a “Low Intensity Supervision” caseload requiring minimal supervision. These cases do not require field work unless there is a change in circumstances and report monthly via a written or electronic form. This ensures officers have more opportunity to monitor and provide the appropriate resources and interventions to our more high-risk cases.

JOHNSON has completed and provided verification of 253 hours of community service at the Detroit Recovery Project. The offender completed those hours within fifteen months. As he was ordered to complete 240 hours per year of supervised release, there is a balance of 227 hours. Due to the effects of COVID-19 in the area, the availability of community service hours has become extremely limited since March 2020. Therefore, this writer cannot expect JOHNSON to complete the balance of his community service hours before his term expiration date of February 14, 2021. As these circumstances are of no fault of the offender and that he has made a good-faith effort throughout his term of supervision, it is respectfully recommended that the remainder of the community service requirement be waived and the condition be modified by removing the 240 hours “per year” wording.

A criminal record check completed through Access to Law Enforcement Systems (ATLAS) conducted on September 9, 2020, revealed no new criminal activity.

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<p>If your Honor agrees with this recommendation, please indicate below and return this correspondence to the probation department. If your Honor does not agree, please indicate below and direct the probation department as to how the Court wishes to proceed.</p> <p>Should your Honor have any questions or concerns, this writer may be reached at the number below.</p>						
PROBATION OFFICER s/Mary Whitt/tmg (313) 234-5423				DISTRIBUTION Court		
SUPERVISING PROBATION OFFICER s/Steven M. Ely (313) 234-5583				PROBATION ROUTING Data Entry		
<p>THE COURT ORDERS:</p> <p><input type="checkbox"/> Modification as Noted Above</p> <p><input checked="" type="checkbox"/> Other The request to modify is denied. Mr. Johnson shall complete all of the originally-ordered community service. However, he may complete the service outside of his former state senate district, if necessary.</p> <div style="text-align: right; margin-top: 100px;"> <u>s/Matthew F. Leitman</u> United States District Judge <u>10/2/2020</u> Date </div>						